

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KHOR CHIN LIM,

Plaintiff,

v.

CITY OF CHICAGO, ANITA ALVAREZ,
STATE ATTORNEY OF COOK COUNTY
OF ILLINOIS, SHERIFF OF COOK COUNTY
and DOES 1-15,

Defendants.

ORDER

13-cv-347-bbc

Plaintiff Khor Chin Lim has filed a civil rights complaint in which he alleges that he was arrested illegally by police officers, incarcerated in the Cook County jail and then taken to a mental health facility in Elgin, Illinois, after being found unfit to stand trial. He is seeking damages against the state attorney, the sheriff and the city, as well as an injunction restraining the state attorney from prosecuting him. In addition, he has filed a motion for summary judgment, dkt. #2; two motions for preliminary injunctions, dkts. ##7, 9; a motion to have the United States Marshal serve the defendants, dkt. #6; and a motion for leave to proceed in forma pauperis. Dkt. #5.

Plaintiff is restricted from filing new cases without paying the full filing fee because he has filed at least three cases in this court that have been deemed frivolous. E.g., Lim v. Walker, 12-cv-625-bbc; Lim v. Walker, 12-cv-552-bbc; Lim v. Walker, 12-cv-492-bbc.

Accordingly, he may not bring any new action here unless he alleges that he is in imminent danger of physical harm. 28 U.S.C. § 1915(g). He has not done that in this case; he is merely asking the court to restrain a state court criminal proceeding against him, something the court may not do. 28 U.S.C. § 2283, Younger v. Harris, 401 U.S. 37 (1971). His complaint is legally frivolous and may not be pursued.

Because plaintiff has not shown that he is in imminent danger of serious physical Plaintiff's request for leave to proceed in forma pauperis will be denied. He is responsible for paying the full filing fee, which is \$350, together with an administrative fee of \$50, for a total of \$400. Judicial Conference Schedule of Fees, District Court Miscellaneous Fee Schedule (14), Issued in accordance with 28 U.S.C. § 1914.

ORDER

IT IS ORDERED that plaintiff Khor Chin Lim is DENIED leave to file his proposed complaint, dkt. #1, against defendants City of Chicago, Anita Alvarez, State Attorney of Cook County of Illinois, Sheriff of Cook County and Does 1-15. FURTHER IT IS ORDERED that the following motions are DENIED:

1. Plaintiff's motion for summary judgment, dkt. #2;
2. Plaintiff's motion to have the United States Marshal serve his complaint upon defendants, dkt. #6; and
3. Plaintiff's motions for preliminary injunctions and restraining orders, dkts. ##7, 9.

FURTHER, IT IS ORDERED that plaintiff is responsible for paying \$400 to the Clerk of Court for the Western District of Wisconsin as his fee for filing this case.

Entered this 30th day of July, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge